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International Court of Justice

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11 June 1946

OFFICIAL TRANSCRIPT OF TESTIMONY FOR THE DEFENSE OF ORGANIZATIONS, TAKEN BEFORE A COMMISSION APPOINTED BY THE INTERNATIONAL MILITARY TRIBUNAL PURSUANT TO PARAGRAPH 4 OF THE ORDER OF THE TRIBUNAL, DATED 13 MARCH 1946.

TUESDAY, 11 JUNE 1946

COMMISSIONERS:

Captain Joseph Tubridy
Mr. Taylor Geo. R.

(The Commission convened at 1400 hours)

EBERHARD VON THADDEN, a witness, took the stand and testified as follows:

BY CAPTAIN TUBRIDY:

Will you stand and raise your right hand and repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

Q Will you give your full name?

A Eberhard Von Thadden.

DR. PELKMANN: The evidence concerning Von Thadden concerns only the Jewish question in the foreign ministry, the intervention of foreign diplomats, and the information which Von Thadden received from Eichmann and other sources, and the visiting of camps, and that he, himself met at times together with representatives of

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neutral nations and the Red Cross. That these visits did not in any way give any indication of the mass extermination of Jews, also the camouflage methods and methods to keep secret the methods of Eichman and other organizations.

DIRECT EXAMINATION

BY DR. PELKMANN:

Q What is your occupation, witness?

A I was in the consular legation, first class, in the foreign ministry.

Q Did you in your duties in the foreign ministry have anything to do with the Jewish question?

A It was my duty since April 1943 to receive all questions concerning the Jewish question for the foreign ministry, and after discussing them with Eichmann to answer them.

Q Were you a member of the SS?

A I was made an honorary member of the SS in 1936 when I was supposed to accompany a number of foreign diplomats to the Reichpartitag and at that time I did not have a uniform and in order to put me in a uniform I was made an honorary member of the SS.

Q Were you formerly not a member of any group of the NSDAP?

A I was a party member since 1933 but did not have any office.

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Q Did you receive your duty in the foreign ministry and especially your duty concerning the Jewish question because you were a member of the SS?

A No, definitely not. I was employed by the foreign ministry after taking my state examination and after requesting a job with the personnel department. It xxxx was the 1 November 1937 when I received my duties concerning the Jewish question, after the reorganization within the department, within that department called the Department Dautschland, and I was not xxxxxx a SS member, and, xxxxxx therefore, I don't think my SS membership had anything to do with it.

Q When did you receive this duty or order?

A April 1943.

Q Do you know anything concerning the intervention because of the liquidation and mass murder of the Jews or because of the mis-treatment of the Jews?

A I did not from the time I took my job until 1945 receive any such foreign intervention, and if such intervention would have been brought to me I don't think I would have accepted it, since I did not believe it possible that there was such a mass murder or mistreatment of Jews, and I also do not know of any other intervention by foreign diplomats concerning this question made to the State Secretary or Foreign Ministry, an intervention which would have come to me.

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Q What kind of questions or remarks came to your section since you took your job in April, 1943?

A The question of intervention was usually concerning named persons, that is, specific persons, that is Jews, and at times also concerning Jewish groups, questions as to how they were and where they were and also requests for permits to emigrate to some other nation and questions of that sort. The questions also were concerning at times about certain groups of Jews, such as, for instance, the groups of Jews from foreign enemy nations, concerning their clothing, their feeding and other questions of that sort, as well as the emigration of certain groups to foreign countries.

Q What could you do in such cases?

A As far as the treatment of English or American Jews, in other words, Jews of enemy nations was concerned, I contacted Fuehrer Eichmann in order to have these people transferred to ordinary internment camps. As far as other groups of Jewish persons were concerned, in case of foreign intervention, I attempted to find out through Eichmann where they were and if there was any possible way to obtain permission for them to emigrate to a foreign country.

Q And what results did you have with your attempts?

A In some cases the intervention could be taken care of as requested.

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Q In many cases it was not possible to find out where a Jew concerning whom a request had been made, where he was?

A I repeatedly attempted through complaints to obtain a satisfactory answer in cases like that. In discussions with Eichmann concerning various cases like that he told me that through the destruction of the central list of the Jews in Berlin, it was impossible for him to find out right away where these people were.

Q Was that a destruction through bombing?

A Yes, and he also stated that it was impossible for him, due to the lack of personnel in his section, to send letters or questionaires to each one of those Jewish camps in order to find these persons. He also stated that in addition to the regular personnel, many of these camps were guarded and at times administered, not by Germans, but by Latvians, Estonians and ~~Krkx~~ Ukranians, and that in cases like that it was hardly necessary or it was impossible to make any kind of a request to the camp due to language difficulties. In these cases I asked representatives of diplomatic missions to keep their requests until the end of the war, until this technical difficulty could be taken care of. In similar cases I was told that Jews were either at camps Belsen or Theresienstadt, and in some cases I even received letters to be forwarded to the diplomatic missions from these Jews.

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Q And what was the excuse or what was said at that time why the Jews could not be transferred to some other point?

A Eichmann told me that in many of the camps the Jews were working in the armament industry and due to the fact that they had obtained quite a bit of secret information, it was, ~~xxxx~~ therefore, impossible to have these Jews either transferred or have them emigrate to some foreign country.

Q Did you ever attempt to visit any of these camps personally?

A Yes, I attempted that ~~xx~~ repeatedly, and I also was in Jewish camps four times all together.

Q Would you describe those a little more in detail, please?

A In 1943 Belsen was made a Jewish camp, that is, I am/concerned ~~xxxxxxxxxx~~ with 1943, and whether it was a Jewish camp previous to that I don't know. It was attempted to take all Jews with foreign passports, even though it was evident that they were false, and put these people into the same camp in order that at some time they may be exchanged for repatriots. But due to the fact that there was a very large number of Germans interned in America, and only a small number of foreigners or Americans, interned in Germany, that explains the special interest of the

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~~foreigh~~ foreign ministry concerning this case. Eichmann then reported to us that these Jews with foreign passports even though they were not citizens of a foreign country, were to be held in Camp Belsen upon the order of the Reich Fuehrer of the SS. I thereupon ~~xxx~~ went with the mission Himmler to Belsen in 1943 in order to inspect the camp, as a representative of the foreign ministry.

At that time, in that part of the camp which was reserved for Jews there were about 2500. The other part was occupied by Russian Prisoners of War and was separated from the other part of the camp. That part that was reserved for the Jews at that time was ~~xxx~~ in very good condition, it had good baths and good sanitation, and, therefore, I made a report at that time that there was nothing against the holding of the Jews in that camp from our point of view. I never returned to Belsen. Later on, however, I was at Theresienstadt three times, the first time in 1943 alone. In 1944 I visited there with a delegation consisting of one representative of the International Red Cross, Dr. Rassel, one representative of the Danish Red Cross, and military director, Dr. H Vass from the Danish foreign ministry. Also invited were representatives of the Swedish Red Cross and the Swedish foreign ministry

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in which I did not participate due to reasons unknown to me, and on the 6th and 8th of April, 1945, I again was there with a delegation consisting of one representative of the International Red Cross, Dr. Lehner, and one representative of the protective powers delegation of the Swiss council. In this case also representatives of the Swedish protective powers were invited, but they turned down the invitation.

Q What was your impression and the impression of the other gentlemen when you visited these camps?

A The Ghetto was a town of about 35,000, all of them Jews, with a wooden fence around it, which was guarded from the outside by Czech police. On the inside there was a Jewish administration for everything and the oldest of the Jews, Mr. Epstien, told me that the Jewish Ghetto police which was used on the inside to keep order was not very well liked due to their sharpness. What was very interesting to myself, as well as the other representatives, was the fact that within this large town there were only 12 SS men of officials with about 8 helpers. The Jews lived quite well under their own administration in that town and they had excellent medical care due to the fact that there were 900 doctors interned there, and also there was a Jewish old age home, and Jewish children's home. The representatives were allowed to walk around

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Theresienstadt freely and Dr. Rassel, having first obtained permission, was allowed to take pictures anywhere within the town. I may suggest that the Court might request the reports of Dr. Rassel and Dr. Lehner which probably are in Geneva.

Q Did you see anything of a crematorium within Theresienstadt?

A I was especially interested in a crematorium due to the fact that in foreign countries the rumor ran around that up to 6,000 Jews were being burned daily in Theresienstadt.

COLONEL JONES: When did that rumor go out?

WITNESS: That must have been in the beginning of 1945.

COLONEL JONES: I am sorry, where did that rumor go?

DR. PELKMANN: May I first finish my question?

M. MONNERAY: May I ask you, defense counsel, where those rumors went?

WITNESS: In foreign countries.

CAPTAIN TUBRIDY: What foreign countries?

WITNESS: I cannot remember now from memory where these rumors went around. I only remember seeing it in press dispatches of foreign newspapers but I cannot tell from what country they were.

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BY DR. PELKMANN:

Q And what did you find out concerning this crematory?

A The crematory had either two or three ovens and it was, in my opinion, impossible to burn even a slight fraction of the rumored persons.

Q Did you or did the other members of the delegation ask the people from the town concerning this?

A I don't know who expressly asked the question but I do know that this question was asked quite clearly on our last visit. In fact, the visit in April of 1945 was brought about by the foreign ministry expressly for the purpose of proving or disproving these foreign rumors concerning the burning in Theresienstadt. I might add that after seeing that, I thought that all of these foreign reports concerning Theresienstadt were false, and I considered the other reports concerning the other concentration camps, all other camps, equally false.

Q Did you visit any other camps?

A No, I attempted formerly to visit some other camps because we were interested in visiting other camps also, but the office of Eichmann continually disapproved any such requests. Upon my repeated attempts to visit various other camps, such as Auschwitz, I was told by Fuehrer Eichmann that the foreign propoganda concerning the extermination ~~xxx~~ within these camps was very bad

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as far as we were xxxxxxxx concerned and I was told by Eichmann that Auschwitz at the present was one of the main industrial departments for xxxxxxxxx manufacturing of secret weapons, and due to the fact that secret weapons were being manufactured there even I, due to counter espionage reasons, would not be permitted to visit them. When the reports concerning Auschwitz were more and more evident in foreign newspapers I tried immediately to get permission to either go there myself or with a foreign delegation. Eichmann during the conversation said he understood very well that this kind of foreign political propganda was not liked by our office. However, he told me in a secret meeting, that is in a meeting or discussion, to be kept highly secret, that in these foreign reports of the extermination within Auschwitz he, Eichmann, saw a certain security in that that camp would not be attacked by xxxxxxxxx foreign bombers, and he statdd that due to the rather well known tactics of the German air corps, we had to accept that kind of unwanted foreign propoganda, but that he assured me personally all of these reports were completely untrue. He contended that the need for workers in our industries was so great that the destruction or extermination of Jews would have been idiotic just from this point of view. Every Jew was well taken care of, according to the orders of Gruppen Fuehrer Glucks, and that those who also did additional work received additional food in

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order to maintain them as workers.

Q Did you on your visit in ~~XXXXXXX~~ Theresienstadt on the 19th of April, 1943, find that the people there were starving?

A No, even in the bath house where you could see the Jews in their swimming trunks it was evident that their food was sufficient. Since Eichmann had mentioned the fact of the need of workers or since he mentioned that quite often, and then during conversations when I asked him concerning women and children or old people which were of no use as workers, Eichmann told me that upon the order of the Reichsfuehrer of the SS, families were not to be separated due to the well known fact that a family member separated from the rest of his family was not as willing a worker as when he is with his family. That is why all of these Jewish workers camps in the East were family camps, and that was in accordance to what I saw, for instance, in Theresienstadt, where women and children and old people were living together with the Jews that were employed.

Q Do you remember any specific complaints which ~~Epstein~~ Eichmann did not deny?

A Yes, there was a broadcast from Slovakia according to which Hungarian Jews who were being transported through Slovakia had been mistreated and one of whom had been shot. I was supposed to investigate that

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matter immediately upon the order of the Reich Foreign Minister Von Ribbentrop. Eichmann promised me an investigation of the case and after a while he reported to me saying that the case actually had happened about the way it was reported to us from the Slovaks. He claimed that he had to use armed guards during this transportation or deportation for the first time, and he would see to it that the guilty ones would be punished immediately.

Q When you look back upon it, would you say that the fact that Eichmann had admitted some instance like this, that you were bound to believe him in cases where he couldn't give you positive answers?

A I have heard. I know now what happened in Auschwitz. I would say that Eichmann lied to me quite well concerning everything.

Q Would you say and is it also true that you believed some of these rumors less due to the fact that some of the Jews who were able to emigrate from Germany during the war, that they did not spread any such rumors or any such stories concerning mistreatment?

A Since 1943 when I took over this office a large number of people were able to leave Theresienstadt and Belson and travel to foreign countries and we always had a hard fight with Eichman for these emigration papers which had to be given directly from the Reichsfuehrer of the SS. Eichman said that the reason for his opposition

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to letting the Jews go was mainly that these Jews if allowed to xxxxxxxxxxxx immigrate to foreign countries would spread propoganda. We, of the foreign office, were of another opinion. I, therefore, asked the press section of the foreign ministry that whenever a group of Jews, whenever a group of them left for foreign countries, that they would be especially careful to see/if if any stories occurred within the papers of those countries. I never heard of any such report from any of the Jews that left through the intervention of the German foreign ministry, and you are right, Mr. French Counsel, in your opinion that this fact made me even more to disbelieve the xxxxxx reports in the foreign press concerning txxxxxx Auschwitz and other concentration camps like it.

Q Concerning what groups of xxxxx immigrants are you talking in this case?

A I don't know whether I can give all groups completely. For instance, one group of Spanish Jews were able to leave from Belsen for Spain, and further a group of Hungarian Jews from Bergen Belsen to Switzerland, single Jews from Bergen Belsen and Theresienstadt to Sweeden and some single Jews in the way of repatriation with those others with whom we were repatriating citizens. In all this concerns about 1500 Jews so far as I remember.

Q Do you remember the representation by the Swedish Government in which it was represented the Argentine

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Government protested concerning the arrestxx of fxxxx four Argentine Jewess?

A The foreign ministry had requested that Argentines were not to be arrested or interned since we feared as a counter measure the arrest of many Germans in Argentina . Through the intervention of the Swedish Embassy we found out that that in opposition to our order xxxxxxxx Eichmann had arrested four Jewish women and had transported them to an undisclosed destination. I immediately requested to find out where those four Argentine Jewish women were, and that they be set free immediately. They were found in Bergen Belsen, one's name was Amerikaner, and the other's name was Vogel, and I don't xxxx remember the other two names. They were immediately released upon our request. Eichman later reported to me that two of the women returned to Belsen with the request that they be allowed to stay there until the end of the war, since they did not feel secure in the bombed out towns where they were living. I immediately reported this apparently wonderful news to the Swedish delegation so that in case they wanted to they could check on these facts immediately.

Q Do you remember the case of the two brothers Bondy?

A The Swedish Government had naturalized a xxxxxx number of Jews in Sweeden. They were formerly Czechs, Danes and Hollanders, and upon their naturalization

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they asked that these people would be allowed to immigrate to Sweden.

BY COLONEL JONES:

Q Who asked for the immigration to Sweeden?

INTERPRETER:

A The Swedish Government.

WITNESS:

A The Swedish embassy cpunsel, Von Post, was able to take care of a number of those cases with me. Some of the other cases had not been taken care of since Eichmann made difficulties because of the naturalization. An especially interesting was the case of Bondy -

M. MONNERAY: I don't know whether it is necessary to go into all of this detail.

DR. PELKMANN: The witness has to prove through giving or through mentioning specific individual cases why he as an official of his department did not have any idea concerning the liquidation of the Jews.

COLONEL JONES: Even if he did have, what he knew himself does not come within the rules laid down by the Tribunal as to relative evidence. We have listened for some time now to the tales about the Argentine Jewesses, about applications from Jews in Belsen that they might be allowed to remain in prison, about Jews

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being naturalized in the Swedish Government, and we are now embarking upon a story about a Mr. Bondy, and not one word has been spoken of the evidence which is relevant; ~~and I can't find myself listening, but~~ if the defense counsel wishes to waste the time of the Commission and the Tribunal I don't mind, or if it would ~~xxxx

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and it is hard for me to prove that large circles of the SS did not know of any of these atrocities and had no knowledge of any of these atrocities and also it is evident that if an official did not have any idea concerning these atrocities, then large circles of the SS also were bound not to know about it.

CAPTAIN TUBRIDY: I think every one understands your objection, but the point is you are not achieving it, Dr. Pelkmann.

DR. PELKMANN: Then I will ask the witness more directly.

CAPTAIN TUBRIDY: Very well.

BY DR. PELKMANN:

Q For what reason do you believe that these foreign reports concerning the mass murder or mistreatment in concentration camps were false after the emigration of single Jews from Bergen Belsen and Theresienstadt?

A I considered the reports of mass liquidation of Jews personally quite impossible. I knew that at one time a large settlement of Jews overseas was considered. I also knew that these projects due to the beginning of the war could not be continued, and that until the end of the war it could not be continued, and it was said to me by Eichman time and time again that these Jews would be held in camps in order to eliminate them as an espoinage danger and in order to use their power and their work

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for the German armament industry. The representation by foreign governments and the way they were taken care of by the Reich Security Main Office made it quite evident to me that this condition, this holding of the Jews in camps was just a war measure and in order to eliminate the espionage danger and to use them for German industry. The fact that it was possible for some single Jews to immigrate to foreign countries, even though the Reich Main Security Office was very careful in giving any permission to leave the country, those reports and the fact that there was no evidence of stories concerning mass murder and extermination from these Jews when they arrived in some foreign country, all of those made me believe even more that the reports in the foreign press concerning the murder and extermination of Jews was as wrong as that one report concerning Theresienstadt, which I was able to disprove personally. During the war when the British and Americans, through their representatives in neutral nations made the request to Germany to allow the immigration of thirty thousand, or even more, Jews to Palestine, there was never any discussion betwen the foreign ministry and the Reich Main Security Office concerning this matter. There was never the question if these Jews had been destroyed in Auschwitz or some other camp and for that reason could not be allowed to emigrate and were not able to emigrate, but

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we were always attempting to find a way to please or answer these wishes of the American or British. To aid or to fulfill the request of the Americans and British they allowed these people to emigrate without making any hardship or bringing about any hardship for the Arab population of Palestine. The immigration of Jews to Palestine was considered politically impossible, or not to be in the interest of the foreign policy.

COLONEL BROOKHART: It seems to me that nothing the witness has said is relevant to the issue we are trying and now he is going into the question of Palestine, and that certainly does not interest us, and, furthermore, for the last thirty minutes he has done nothing but repeat things which he said earlier in the afternoon, and I think it should be stopped.

DR. PELKMANN: This opinion is very superficial that it doesn't have anything to do with the actual matters. May I give you my opinion concerning this? The witness was to prove, as I stated in my written theme, he was supposed to prove that from the reports he had received from the Gruppenfuehrer Eichman there was no indication concerning the mass extermination of Jews. The witness just mentioned an example.

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DR. PELCKMANN: He stated that during the discussion between the foreign minister and Eichmann considering the immigration of 30,000 Jews of Palestine, the following was discussed: That the only reason why this immigration was not possible was due to the fact that it would disturb the policies of the Germans towards the Arabs. Eichmann did not say that it was impossible to have these Jews immigrate since they had been exterminated, or gassed long ago. We did not even speak of the fact that there was no Jews available, or present, and for that reason their witness did not claim that there were any mass exterminations of Jews. That is one of the many facts which the witness has been expressing during this questioning, or during his interrogation this afternoon.

CAPTAIN TUBRIDY: Dr. Pelckmann, I see you have a lot of substance you have to prove, and you could go on further, for example, I think you are trying to prove that because Eichmann received this man, that a large number of SS men were received before that, and you are also trying to prove that this man was deceived; in doing so you are going into rather a minor incident on this question of compared to what is known to be a mass extermination of the Jews. If might be pointed out Even as he testified here, there are some things which he has said that indicates what he states and what he was informed about is not completly consistent. He said he had information from foreign sources as to mass extermination of Jews, In other words, the outside world knew about it when he did not know about it. when he had this information

Suppose we take a recess for ten minutes now, and when we resume questioning of the witness, could we please have it directed along the lines of the borderlines, and also possibly the great part of the order Eichmann, and that a large portion of the SS did not know what he was doing.

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DR. PELCKMANN: Now I would like to limit my questions to what was accepted as my proof of the evidence.

CAPTAIN TUBRIDY: Very well, let's take a recess.

(Recess)

COLONEL NEAVE: Before the Commission resumes, I would like to make a brief announcement at this time because I have not very much time in which to get ready for the other hearing, which will be started on Thursday. My question to ask is what the most convenient division of the organizations would be , which I have not discussed. It has been suggested to me the first Commission will consist of witnesses for the SS, the SD and the Gestapo, if I understand the defense counsel correctly. That does not quite conform to the prosecutions division of the work, does it?

DR PELCKMANN: I believe the SS will agree to that.

COLONEL NEAVE: That does not quite fit into your suggestion.

COLONEL GRIFFITH-JONES: If any agreement between the prosecution and speaking for myself, I should prefer the SS, Sa and the Leadership Corps to have been taken together, because I feel that they are connected with one another more than any other divisions.

DR PELCKMANN: I am sorry to disagree with you,but I believe the SA, SD and the Gestapo have more common points than the other mentioned organization, for instance, when the members of the SD are being mentioned I would like to be present,and if it would be before the other commission I would not be able to.

COLONEL NEAVE: I think that is perfectly true, and I think the SS,the SD and the Gestapo,when examining the witnesses, it would not be

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I'll say, like transferring from one division to the other.

COLONEL GRIFFITH-JONES; I think Mr Babel takes that view also, so I do not press it. The division that I suggested would be convenient to myself, and maybe could have an agreement with the other persons to handle certain organizations, but I do not press it.

COLONEL NEAVE: I am only worried that it does not fit into your arrangements. Does not appear to me that he has reached a point where it is convenient to start the defense, and from the other point of view for arranging for these witnesses.

COLONEL GRIFFITH JONES: I understand that there are a great number of witnesses left now for the SS that will not be concluded by the end of this ~~xxxxx~~ week.

COLONEL NEAVE: I do not think there are many for the Gestapo, the SS and for the SS there were about sixteen or seventeen witnesses granted sofar of which you have had how many witnesses, twelve?

DR PELCKMANN: I believe about ten.

COLONEL NEAVE, I dare say we can make a final decision on the SS. I think the SD and the Gestapo will not require any more anyway.

DR. PELCKMANN: I want to state that I need many, many more witnesses, but I want to say this as a fact that until 3rd July only about twenty-five witnesses in the SS that should be heard.

COLONEL NEAVE: I think it is impossible to prophesize how many witnesses can be heard by that day. We both must consider that we should take the work of the Commission into account, which has not been done. Sofar as the other two organizations are concerned, there are not many more witnesses.

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COLONEL GRIFFITH JONES: I think from what you say it is quite clear if there are to be only a few Gestapo and SD witnesses, I might say the other three organizations will have to be divided, and that it is entirely agreed the most satisfactory method would be to take the SS in one division, and to take the SD and the Leadership Corps together. I think those two organizations are close to one another,and I imagine in that case the high command, Reich Cabinet, would be put into the same category as the SS.

COLONEL NEAVE: I can not see any objection to that. A general staff being in line with the SS, SD and the Gestapo.

MAJOR MURRAY: That is perfectly agreeable with us.

COLONEL NEAVE: Then we presume the Leadership Corps, SA and the Reich Cabinet will go together. That is merely a division of numbers.

COLONEL GRIFFITH JONES: They would go well together. If we set the SS tribunal together with the High Command witnesses, then the Reich Cabinet could be also.

COLONEL NEAVE: Now, Dr Pelckmann, have you any further comments to make on behalf of the defense.

DR. PELCKMANN: None.

COLONEL NEAVE: If anybody has any serious objection to this on the part of the prosecution or the defense, would you let me know by half past five this evening.

DR PELCKMANN: I think my colleague, Dr. Servatious, wrote a letter to the General Secretary concerning this matter,but I don't know what he wrote.

COLONEL NEAVE: Provisions are made that the Commission will start in Room 196 on Thursday morning at quarter to ten,when we will have

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a discussion with the court reporters and interpreters,and provision is made that the first witness will be for the SA.

COLONEL GRIFFITH JONES: So the SA will be held in Room 196.

COLONEL NEAVE: Yes, I think Commission I will remain here for the SD, etc., and Commission II will be in room 196 for the SS etc. and the Reich Cabinet. Now we have had great difficulty to get the personnel to staff the court reporter and interpreting division, and I will give the final confirmation that we are to start on Thursday, tomorrow evening. The witness will be for the SA. If anybody has anything further to say, or further important problem to bring up regarding this matter, they should let me know in my office by half past five this evening.

BY DR. PELCKMANN:

Q As you have probably noticed from the conversation between myself and His Honor, the Judge, it is considered very strange that you did not know, or did not have any knowledge of these mass murders and mass liquidations while, as the Judge said, the whole world knew about it. Witness, would you explain these facts,and would you also state whether you as a German civilian, as a SS Leader,and lastly , as a German civilian did not know about it,when the whole world /including you, but including the German Reich knew about this?

A I wish to apologize. The statement that the whole world knew it in my opinion was not correct. Within Germany the only people who could have known about it were those people connected with the circle of Eichmann and his co-workers, and those people that were able to read the foreign press, and listen to the foreign radio. Even within the foreign ministry only two or three employees that had to do with the Jewish question, were

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able to get whole of or read the foreign reaction in the foreign newspapers' reports concerning the Jewish question. But in opposition to what I read in foreign newspapers, I, as one of the men who was able to get these foreign newspapers, will say there was a repudiation by the German offices, and that was in my opinion the important matter, and that was in my opinion the dependable point.

Q Now the other members of foreign offices of SS Leaders, did they obtain, or were they able to obtain this information, that is, from foreign newspapers and foreign radios?

A Listening to foreigh reados was prohibited to all of those with the exception of those that had a special permit.

Q Did you know that at the beginning of the war that Hitler personally had to permit his own ministry to listen to the radio; that he had to give his own personal permission for his ministry to listen to the foreign radio?

A No, I did not know that, but I do know that we had a very long discussion and concersations with Dr. Goebbels in order to get permission for a few of our selected foreign department men to listen to the foreign radio, and it was extremely difficult to get that permission.

Q And how was it with the foreigh newspapers?

A The foreign newspapers could only be bought ih Germany in a limited amount, that is, sofar as they were allowed by censorship. Otherwise, I am speaking for myself personally now, I want to state that the foreign department did not receive any other newspapers, but only received those sections that interested us concerning what were of interest to us when on our particular job. At the beginning of the war we received this information, that is, these newspaper parts, as well as the foreign radio communications, very frequently, and in a very large

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scale,but in 1941, when I do not know whether an order came from Hitler, or from whom,these reports were cut down a very large extent,and in 1943 they were such that I as the Jewish Commissioner, or Jewish official ofthe Foreign Department did not receive anything except those articles and foreign communications that the radio reports gave,and received only those that concerned the Jewish question directly,and nothing else. Since, as I stated,these matters or reports were sent to me under the secret classification,I could only talk concerning these matters with those people that were also supposed to receive it, that is, my co-worker, my chief, and other members of the Department, which had to do with Jewish matters. These reports were not secret,but what was called Secret State matters, or merely the classification would possibly be "top secret." This matter, or requirement of keeping these reports a secret was not thefact towards the foreign diplomats; therefore, whenever I had the possibility of a talk with a foreign diplomat concerning these newspaper reports, I could present them with the repudiation of the German office concerned with this matter.

Q How did you receive the reasons, or give the causes for these repudiations?

A I told Himmler or Eichmann where men were responsible in this matter,and any of their statements that were official sofar as I was concerned.

Q Did you believe these official statements by Himmler and Eichmann only because they were official statements, or since you checked upon these matters, sofar as you could find out they were true.

A These official statements were connected with, or were concerned with the same matter that I had personally investigated, and, there-

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fore I did not see any reason why I should not believe them.

Q And didn't you previously give us a few examples, which is why you considered this information as correct?

A Yes.

Q I do not want to ask you to repeat these incidents,but I do want a statement from you to find out whether or not you make these statements in order to prove that there was no reason for you to disbelieve these official statements by Himmler and Eichmann.

A Yes,that is correct,and whenever I continually talked with my co-workers, or persons connected with a similar line of work concerning these matters,and informed them of any such statements and new developments in order to give them material, whenever they were talking to foreign diplomats , I did so.

Q Coming back to the difficulties you had in receiving these news-paper reports and foreign radio reports, that you had difficulties as a high employer of the German Governmrnt,as an honorary SS Leader, would you say that these reports were known to the whole world, or at least to all the German people, to every SS men, and to every person living within Germany?

A I do not think that it was impossible that the larger number of the German people knew of these facts,and I have a special proof for that - that when Icame to the internment camp at Recklinghaussen, and when the inmates found out Iwas taking care of the Jewish matters in the Foreign Department,they asked whether I thought it possible that such cases as the Hoess case and so on were possible.

COLONEL ORLOV: It seems to me that it is not so interesting to know what the witness thinks about it. He must say about this

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what he knows exactly, and not what he thinks about it.

DR. PELCKMANN: I have no further questions on this phase, and I am finished with this witness. Should, however, this answer be stricken, then I will appeal to the Tribunal concerning it.

CAPTAIN TUBRIDY: That is to the last answer of the witness, to which you are referring.

DR PELCKMANN: Yes, concerning the last question and answer.

CAPTAIN TUBRIDY: It will be considered as displayed in the record, and considering his position to know what he testified about.

DR. PELCKMANN: I have some other questions, not concerning this point, however.

BY DR. PELCKMANN:

Q I believe you heard in the Fall of 1944 the fact that Russians had occupied Camp Maidanek when they reported they had found evidence of mass extermination in the camp. What did you do after this?

A I immediately sent this report to Eichmann, and asked him to give us a view on the question, and, if material to disprove this statement or charge. Eichmann reported to me that the camp before it was left by the troops was completely destroyed, and, therefore, the Russian reports could not be correct, since they could not make such statements just from seeing the ruins. To my question why this camp was destroyed was answered with the statement that the armament industry that was present there was not to be left to the Russians undestroyed, or to be left whole. As proof he showed me a series of pictures which he had sent to the Reichfuehrer SS, and which he claimed were pictures of the camp Maidanek before it was left, and which was sufficient proof that the

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camp was completely destroyed.

Q If the answers of Eichmann were not sufficient, or did not come fast enough,did the foreign office through you turn to the chiefs of Eichmann, or to whom?

A Yes, we repeatedly complained about Eichmann with Gruppenfuehrer Mueller and with Kaltenbrunner. Now, that is not against his person but in certain specific cases. However, we never received an answer from Kaltenbrunner or Mueller,and the questions were always answered by Eichmann. However, it was often though of such small complaint that it was at that time not usual for the adviser which he as State secretary wrote to an equal rank of the other office,and it would be answered by one of the advisers or secretaries. However, later on I always asked that these questions were not to be sent any more to them, but directly be sent to Himmler. Since Eichmann received all of his orders, as he proved to me and he showed me several times,directly from the Reichsfuehrer.

Q Was that due to the reason, as you were told, because Eichmann was not in the SS office, and was not part of the Reich Security Main Office, but at an independent office?

A Eichmann without a doubt was part of the Reich Security Main Office,that is Amt IV,but he received all of his orders directly from the Reichsfuehrer; that is, at least in these cases which I could check up, and, therefore, a complaint with Kaltenbrunner or Mueller was of no use,since they usually were not informed either. If Eichmann was like in the case in 1944 was not in Berlin with his staff, it was impossible for me to receive any kind of information concerning the Jewish matters in Amt IV. So that it was the strange case that I

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either had to find out, or get an answer from Eichmann in Budapest, or we had to get an answer directly from the Reichsfuehrer. Sofar as I could judge Eichmann had a special position within the Reich Security Main Office . Whether or not he was an SS, or had an SS office, I do not know, because I could not judge. However, I know that he was in the Reich Security Main Office,but not all of his co-workers were members of the SS. For instance, Hundsche was a SA.

Q Was that a fact that Eichmann only had very few co-workers who knew of these matters. Was that the reason when during a meeting scheduled in Riesengebinge and when Eichmann could not be reached in Hungary for this meeting, that you had to jump in at the last minute?

A Eichmann or one of his co-workers was supposed to make a speech there, but it was impossible for him to come,and Eichmann, therefore, asked me to make a speech.

Q What was the reason for this meeting. Was it to discuss the question of propaganda, or what?

A This meeting of this group, Amt Rosenberg, was a purely propaganda meeting . That is the various groups were to discuss their knowledge and their experience in anti-Jewish propaganda. The principles by the Reich Security Main Office, the Group Rosenberg, the Amt Rosenberg, and the members of the various embassies and delegations and those of the foreign ministry were presented.

Q How long was your speech and what was its contents?

A I can not give you the exact minutes,but I would say about twenty or twenty-five minutes. The speech was a short conversation of the material that had been given me concerning the number of Jewish people that had been deported to the Eastern areas from the various countries

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as well as the anti-Jewish laws and measures that were brought out in the various countries.

COLONEL GRIFFITH JONES: Could I say something, sir?

BY DR. PELCKMANN:

Q Was the topic of the speech a condensation of the stand of the anti-Jewish executive measures. What do you understand are exactly the measures of the anti-Jewish program?

COLONEL GRIFFITH JONES: It would be a very great help if the defense counsel will mention the number of the document to which he refers.

DR. PELCKMANN: It might be 3319-PS, but I am not sure.

COLONEL GRIFFITH JONES: Yes, it is, but could you tell me the court number also.

M. MONERRAY: USA 433 and GB 287.

DR PELCKMANN: I don't know that the last question was answered, sir.

BY DR. PELCKMANN: Q What do you understand by anti-Jewish executive measures?

A Spreading the anti-Jewish measurew and laws in the foreign countries, and the deportation or sending of Jews to camps for the duration of the war.

Q Do you know that it says in the transcript of this meeting, due to the fact that the measures and discussions by the speaker are supposed to have been kept secret from the individual country or individual countries, and no transcript was kept of this discussion?

A Yes, at that time Eichmann asked me to do it this way because he did not want to be known the number of Jews which would be evacuated by the various measures in the foreign country, or the number of Jews that were still in the various countries, and the number of Jews which

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were living in camps; that these numbers were not to be made public, or be made available for the general public.

Q The reason to keep these things secret may be was for another reason. For instance, in connection with the military situation at one time, or do you want to give us some other information concerning this?

A I was especially glad to carry out this order of Eichmann because since I made some statements concerning their connections with the military situation I did not want to see this report made public generally, because in this short speech I mentioned that since the military catastrophe at Stalingrad no foreign nation did bring in any new anti-Jewish measures or laws,and that in some countries these orders, which were made out before Stalingrad were only carried out to a minor extent after the catastrophe at Stalingrad. I did have a dissussion concerning some cases in Rumania,for instance, in the case of Oschnitt, but I do not want to bring any specific single case up.

Q Therefore, you would consider correct the short statement made, which was made concerning this meeting, where mentioned why a "Zionist to Palestine" with a final solution of the way the "Zionist to Palestine" [illegible], or some other similar solution, would be impossible,and that the Jews would have to be settled in the East?

A Yes, I probably did combine all the statements and remarks under this one statement.

Q In other words, you did not make any statement concerning the so-called Endloesung zone, the final solution in regard to the bodily desctruction of the Jewish people.

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A I never would have thought of it.

Q And why would you never have thought of it? What caused you yourself that you did not have any ideas concerning these matter?

A I did not only not believe that such a thing did happen,but I also believed that a thing like that should not happen, or would not be allowed to happen.

Q Would you say that due to the fact that you were able to receive foreign newspaper clippings,and foreign radio information, that you had a limited chance to check on these reports concerning the truth of these foreign prints of mass murder and extermination. Would you say that the immediate previous statement was correct when I say that the German people as a whole, the SS as a whole, as well as your colleagues within the Foreign offices,and outside of the Foreign offices did not have any information, or did not know of these mass murders?

A Sofar as I would say, they could not have known.

DR. PELCKMANN: No further questions.

CAPTAIN TUBRIDY: Shall we adjourn now.

(The Commission adjourned until 12 June 1946
at 1000 hours)

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The foregoing is a true and correct transcript of the testimony of EBERHARD VON THADDEN, taken on 11 June 1946.

[redacted]
Reporter (pp 1-12

Rose W Cook
Reporter (pp [redacted] 1-20

[redacted]
Reporter (pp 30-49

Charles J Gallagher
Reporter (pp [redacted] 21-34

CERTIFIED TO:

Joseph T Sukiby
Commissioner

Commissioner

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Official transcript of testimony for the Defense of organizations, taken before a Commission appointed by the International Military Tribunal pursuant to paragraph 4 of the order of the Tribunal, dated 13 March 1946.

Tuesday, 11 June 1946

COMMISSIONERS:

Captain Joseph Tubridy
Mr. Geo. R. Taylor

(The Commission convened at 1400 hours)

EBERHARD VON THADDEN, a witness, took the stand and testified as follows:

BY CAPTAIN TUBRIDY:

Will you stand and raise your right hand and repeat this oath after me:

I swear by God, the Almighty and Omniscient, that I will speak the pure truth and will withhold and add nothing.

(The witness repeated the oath)

Q Will you give your full name?

A Eberhard von Thadden.

DR. FELKMANN: The evidence concerning von Thadden concerns only the Jewish question in the foreign ministry, the intervention of foreign diplomats, and the information which von Thadden received from Eichmann and other sources, and the visiting of camps, and that he, himself, met at times together with representatives of neutral nations and the Red Cross. That these visits did not in any way give any indication of the mass extermination of Jews, also the camouflage methods and methods to keep secret the methods of Eichman and other organizations.

DIRECT EXAMINATIONS

BY DR. FELKMANN:

Q What is your occupation, witness?

A I was in the consular legation, first class, in the foreign ministry.

Q Did you in your duties in the foreign ministry have anything to do with the Jewish question?

A It was my duty since April 1943 to receive all questions concerning the Jewish question for the foreign ministry, and after discussing them with Eichmann to answer them.

Q Were you a member of the SS?

A I was made an honorary member of the SS in 1936 when I was supposed to accompany a number of foreign diplomates to the Reichpartitag and at that time I did not have a uniform and in order to put me in a uniform I was made an honorary member of the SS.

Q Were you formerly not a member of any group of the NSDAP?

A I was a party member since 1933 but did not have any office.

Q Did you receive your duty in the foreign ministry and especially your duty concerning the Jewish question because you were a member of the SS?

A No, definitely not. I was employed by the foreign ministry after taking my state examination and after requesting a job with the personnel department. It was the 1st of November 1937 when I received my duties concerning the Jewish question, after the reorganization within the department, within that department called the Department Deutschland, and I was not an SS member, and, therefore, I don't think my SS membership had anything to do with it.

Q When did you receive this duty or order?

A April 1943.

Q Do you know anything concerning the intervention because of the liquidation and mass murder of the Jews or because of the mis-treatment of the Jews?

A I did not from the time I took my job until 1945 receive any such foreign intervention, and if such intervention would have been brought to me I don't think I would have accepted it, since I did not believe it possible that there was such a mass murder or mis-treatment of Jews, and I also do not know of any other intervention by foreign diplomats concerning this question made to the State Secretary or Foreign Ministry, an intervention which would have come to me.

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Q What kind of questions or remarks came to your section since you took your job in April, 1943?

A The question of intervention was usually concerning named persons, that is, specific persons, that is Jews, and at times also concerning Jewish groups, questions as to how they were and where they were and also requests for permits to emigrate to some other nation and questions of that ssort. The questions also were concerning at times about certain groups of Jews, such as, for instance, the groups of Jews from foreign enemy nations, concerning their clothing, their feeding and other questions of that sort, as well as the emigration of certain groups to foreign countries.

Q What could you do in such cases?

A As far as the treatment of English or American Jews, in other words, Jews of enemy nations was concerned, I contacted Fuehrer Eichmann in order to have these people transferred to ordinary internment camps. As far as other groups of Jewish persons were concerned, in case of foreign intervention, I attempted to find out through Eichmann where they were and if there was any possible way to obtain permission for them to emigrate to a foreign country.

Q And what results did you have with your attempts?

A In some cases the intervention could be taken care of as requested.

Q In many cases it was not possible to find out where a Jew concerning whom a request had been made, where he was?

A I repeatedly attempted through complaints to obtain a satisfactory answer in cases like that. In discussions with Eichmann concerning various cases like that he told me that through the destruction of the central list of the Jews in Berlin, it was impossible for him to find out right away where these people were.

Q Was that a destruction through bombing?

A Yes, and he also stated that it was impossible for him, due to the lack of personnel in his section, to send letters or questionaires to each one of those Jewish camps in order to find these persons. He also stated that in addition to the regular personnel, many of these c amps were guarded and at times administered, not by Germans, but by Latvians, Estonians and Ukranians, and that in cases like that it was hardly necessary or it was impossible to make any kind of a request to the camp due to lang-

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uage difficulties..In these cases I asked representatives of diplomatic missions to keep their requests until the end of the war, until this technical difficulty could be taken care of. In similar cases I was told that Jews were either at camps Belsen or Theresienstadt, and in some cases I even received letters to be forwarded to the diplomatic missions from these Jews.

Q And what was the excuse or what was said at that time why the Jews could not be transferred to some other point?

A Eichmann told me that in many of the camps the Jews were working in the armament industry and due to the fact that they had obtained quite a bit of secret information, it was, therefore, impossible to have these Jews either transferred or have them emigrate to some foreign country.

Q Did you ever attempt to visit any of these camps personally?

A Yes, I attempted that repeatedly, and I also was in Jewish camps four times all together.

Q Would you describe those a little m ore in detail please?

A In 1943 Belsen was made a Jewish camp, that is, I am concerned with 1943, and whether it was a Jewish camp previous to that I don't know. It was attempted to take all Jews with foreign passports, even though it was evident that they were false, and put these people into the same camp in order that at some time they may be exchanged for repatriots. But due to the fact that there was a very large number of Germans interned in America, and only a small number of foreigners or Americans, interned in Germany, that explains the special interest of the

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foreign ministry concerning this case. Eichmann then reported to us that these Jews with foreign passports even though they were not citizens of a foreign country, were to be held in Camp Belsen upon the order of the Reich Fuehrer of the SS. I thereupon went with the mission Himmler to Belsen in 1943 in order to inspect the camp, as a representative of the foreign ministry.

At that time, in that part of the camp which was reserved for Jews there were about 2500. The other part was occupied by Russian Prisoners of War and was separated from the other part of the camp. That part that was reserved for the Jews at that time was in very good condition, it had good baths and good sanitation, and, therefore, I made a report at that time that there was nothing against the holding of the Jews in that camp from our point of view. I never returned to Belsen. Later on, however, I was at Theresienstadt three times, the first time in 1943 alone. In 1944 I visited there with a delegation consisting of one representative of the International Red Cross, Dr. Rassel, one representative of the Danish Red Cross, and military director, Dr. H. Vass from the Danish foreign ministry. Also invited were representativ of the Swedish Red Cross and the Swedish foreign ministry in which I did not participate due to reasons unknown to me, and on the 6th and 8th of April, 1945, I again was there with a delegation consisting of one representative of the International Red Cross, Dr. Lehner, and one representative of the protective powers delegation of the Swiss council. In this case also representatives of the Swedish protective powers were invited, but they turned down the invitation.

Q What was your impression and the impression of the other gentlemen when you visited these camps?

A The Ghetto was a town of about 35,000, all of them Jews, with a wooden fence around it, which was guarded from the outside by Czech police. On the inside there was a Jewish administration for everything and the oldest of the Jews, Mr. Epstien, told me that the Jewish Ghetto police which was used on the inside to keep order was not very well liked due to their sharpness. What was very interesting to myself, as well as the other representatives, was the fact that within this large town there were only 12 SS men of officials with about 8 helpers. The Jews lived quite well under their own administratic

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in that town and they had excellent medical care due to the fact that there were 900 doctors interned there, and also there was a Jewish old age home, and Jewish children's home. The representatives were allowed to walk around Theresienstadt freely and Dr. Rassel, having first obtained permission, was allowed to take pictures anywhere within the town. I may suggest that the Court might request the reports of Dr. Rassel and Dr. Lehner which probably are in Geneva.

Q Did you see anything of a crematorium within Theresienstadt?

A I was especially interested in a crematorium due to the fact that in foreign countries the rumor ran around that up to 6,000 Jews were being burned daily in Theresienstadt.

COLONEL JONES: When did that rumor go out?

WITNESS: That must have been in the beginning of 1945.

COLONEL JONES: I am sorry, where did that rumor go?

DR. PELKMANN: May I first finish my question?

M. MONNERAY: May I ask you, defense counsel, where those rumors went'

WITNESS: In foreign countries.

CAPTAIN TUBRIDY: What foreign countries?

WITNESS: I cannot remember now from memory where these rumors went around. I only remember seeing it in press dispatches of foreign newspapers but I cannot tell from what country they were.

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BY DR. PELKMANN:

Q. And what did you find out concerning this crematory?

A. The crematory had either two or three ovens and it was, in my opinion, impossible to burn even a slight fraction of the rumored persons.

Q. Did you or did the other members of the delegation ask the people from the town concerning this?

A. I don't know who expressly asked the question but I do know that this question was asked quite clearly on our last visit. In fact, the visit in April of 1945 was brought about by the foreign ministry expressly for the purpose of proving or disproving these foreign rumors concerning the burning in Theresienstadt. I might add that after seeing that, I thought that all of these foreign reports concerning Theresienstadt were false, and I considered the other reports concerning the other concentration camps, all other camps, equally false.

Q. Did you visit any other camps?

A. No, I attempted formerly to visit some other camps because we were interested in visiting other camps also, but the office of Eichmann continually disapproved any such requests. Upon my r epeated attempts to visit various other camps, such as Auschwitz, I was told by Fuehrer Eichmann that the foreign propaganda concerning the extermination within these camps was very bad as far as we were concerned and I was told by Eichmann that Auschwitz, at the present was one of the main industrial departments for manufacturing of secret weapons, and due to the fact that secret weapons were being manufactured there even I, due to counter espionage reasons, would not be permitted to visit them. When the reports concerning Auschwitz were more and more evident in foreign newspapers I tried immediately to get permission to either go there myself or with a foreign delegation. Eichmann during the conversation said he understood very well that this kind of foreign political propaganda was not liked by our office. However, he told me in a secret meeting, that is in a meeting or discussion, to be kept hightly secret, that in these foreign reports of the extermination within Auschwitz he, Eichmann, saw a certain security in that that camp would not be attacked by foreign bombers, and he stated that due

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to the rather well know tactics of the German air corps, we had to accept that kind of unwanted foreign propaganda, but that he assure me personally all of these reports were completely untrue. He contended that the need for workers in our industries was so great that the destruction or extermination of Jews would have been idiotic just from this point of view. Every Jew was well taken care of, according to the orders of Gruppen Fuehrer Glucks, and that those who also did additional work received additional food in order to maintain them as workers.

Q. Did you you your visit in Theresienstadt on the 19th of April, 1943, find that the people there were starving?

A. No, even in the bath house where you could see the Jews in their swimming trucks it was evident that their food was sufficient. Since Eichmann had mentioned the fact of the need of workers or since he mentioned that quite often, and then during conversations when I asked him concerning women and children or old people which were of no use as workers, Eichmann told me that upon the order of the Reichsfuehrer of the SS, families were not to be separated due to the well known fact that a family member separated from the rest of his family was not as willing a worker as when he is with his family. That is why all of these Jewish workers camps in the East were family camps, and that was in accordance to what I saw, for instance, in Theresienstadt, where women and children and old people were living together with the Jews that were employed.

Q. Do you remember any specific complaints which Eichmann did not deny?

A. Yes, there was a broadcast from Slovakia according to which Hungarian Jews who were being transported through Slovakia had been mistreated and one of whom had been shot. I was supposed to investigate that

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matter immediately upon the order of the Reich Foreign Minister von Ribbentrop. Eichmann promised me an investigation of the case and after a while he reported to me saying that the case actually had happened about the way it was reported to us from the Slovaks. He claimed that he had to use armed guards during this transportation or deportation for the first time, and he would see to it that the guilty ones would be punished immediately.

Q When you look back upon it, would you say that the fact that Eichmann had admitted some instance like this, that you were bound to believe him in cases where he couldn't give you positive answers?

A I have heard. I know now what happened in Auschwitz. I would say that Eichmann lied to me quite well concerning everything.

Q Would you say and is it also true that you believed some of these rumors less due to the fact that some of the Jews who were able to emigrate from Germany during the war, that they did not spread any such rumors or any such stories concerning mistreatment?

A Since 1943 when I took over this office a large number of people were able to leave Theresienstadt and Belson and travel to foreign countries and we always had a hard fight with Eichmann for these emigration papers which had to be given directly from the Reichsfuehrer of the SS. Eichmann said that the reason for his opposition to letting the Jews go was mainly that these Jews if allowed to immigrate to foreign countries would spread propaganda. We, of the foreign office, were of another opinion. I, therefore, asked the press section of the foreign ministry that whenever a group of Jews, whenever a group of them left for foreign countries, that they would be especially careful to see if any stories occurred within the papers of those countries. I neve. heard of any such report from any of the Jews that left through the intervention of the German foreign ministry, and you are right, Mr. French Counsel, in your opinion that this fact made me even more

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to disbelieve the reports in the foreign press concerning Auschwitz and other concentration camps like it.

Q Concerning what groups of immigrants are you talking in this case?

A I don't know whether I can give all groups completely. For instance, one group of Spanish Jews were able to leave from Belsen for Spain, and further a group of Hungarian Jews from Bergen Belsen to Switzerland, single Jews from Bergen Belsen and Theresienstadt to Sweden and some single Jews in the way of repatriation wit those others with whom we were repatriating citizens. In all this concerns about 1500 Jews so far as I remember.

Q Do you remember the representation by the Swedish Government in which it was represented the Argentine Government protested concerning the arrest of four Argentine Jewess?

A The foreign ministry had requested that Argentines were not to be arrested or interned since we feared as a counter measure the arrest of many Germans in Argentina. Through the intervention of the Swedish Embassy we found out that that in opposition to our order Eichmann had arrested four Jewish women and had transported them to an undisclosed destination. I immediately requested to find out where those four Argentine Jewish women were, and that they be set free immediately. They were found in Bergen Belsen, one's name was Amerikaner, and the other's name was Vogel, and I don't remember the other two names. They were immediately released upon our request. Eichman later reported to me that two of the women returned to Belsen with the request that they be allowed to stay there until the end of the war, since they did not feel secure in the bombed out towns where they were living. I immediately reported this apparently wonderful news to the Swedish delegation so that in case they wanted to they could check on these facts immediately.

Q Do you remember the case of the two brothers Bondy?

A The Swedish Government had naturalized a number of Jews in Sweden. They were formerly Czechs, Danes and Hollanders, and upon their naturalization

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they asked that these people would be allowed to immigrate to Sweden.

BY COLONEL JONES:

Q. Who asked for the immigration to Sweden?

IN TERPRETER:

A. The Swedish Government.

WITNESS:

A. The Swedish embassy counsel, Von Post, was able to take care of a number of those cases with me. Some of the other cases had not been taken care of since Eichmann made difficulties because of the naturalization. And especially interesting was the case of Bondy--

M. MONNERAY: I don't know whether it is necessary to go into all of this detail.

DR. PELKMANN: The witness has to prove through giving or through mentioning specific individual cases why he, as an official of his department did not have any idea concerning the liquidation of the Jews.

COLONEL JONES: Even if he did have, what he know himself does not come within the rules laid down by the Tribunal as to relative evidence. We have listened for some time now to the tales about the Argentine Jewesses, about the applications from Jews in Belsen that they might be allowed to remain in prison, about Jews being naturalized in the Swedish Government, and we are now embarking upon a story about a Mr. Bondy, and not one word has been spoken of the evidence which is relevant; if the defense counsel wishes to waste the time of the Commission and the Tribunal, I don't mind, or if it would in the end call for fewer witnesses, but it is a wast of time, and a poor waste of time, and I do submit that this kind of evidence should not be offered.

DR. PELKMANN: It definitely is not a waste of time. I have to prove many statements not true, and statements of the witnesses and opinions of the witnesses by directing the mentioning of names of individual cases, and I am proving with this

witness and showing that whole fact, that was one reason the witness thought the information he received from Eichmann was correct. I want to ask this before the cross examination in order to prove that the witness not only makes statements, but also can give single cases. If this was the opinion of the British Prosecution then I would like to mention the fact of a witness a few days ago being permitted to cite cases concerning prisoners out of a book, which the witness himself did not know. That I consider a waste of time. May I continue? I only want one further question.

I want to state that this man was a representative of the foreign ministry, and also an SS leader, and it is hard for me to prove that large circles of the SS did not know of any of these atrocities and had not knowledge of any of these atrocities, and also it is evident that if an official did not have any idea concerning these atrocities, then large circles of the SS also were bound not to know about it.

CAPT. TUBRIDY: I think every one understands your objection, but the point is you are not achieving it, Dr. Pelmann.

DR. PELMANN: Then I will ask the witness more directly.

CAPT. TUBRIDY: Very well.

BY DR. PELMANN:

Q. For what reason do you believe that these foreign reports concerning the mass murder or mistreatment in concentration camps were false after the emigration of single Jews from Bergen Belsen and Theresienstadt?

A. I considered the reports of mass liquidation of Jews personally quite impossible. I knew that at one time a large settlement of Jews overseas was considered. I also knew that these projects, due to the beginning of the war could not be continued, and that until the end of the war it could not be continued, and it was said to me by Eichmann time and time again, that these Jews would be held in camps in order to eliminate them as an espionage danger and in order to use their power and their work

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for the German armament industry. The representation by foreign governments and the way they were taken care of by the Reich Security Main Office made it quite evident to me that this condition, this holding of the Jews in camps was just a war measure and in order to eliminate the espoinage danger and to use them for German industry. The fact that it was possible for some single Jews to immigrate to foreign countries, even though the Reich Main Security Office was very careful in giving any permission to leave the country, those reports and the fact that there was no evidence of stories concerning mass murder and extermination from these Jews when they arrived in some foreign country, all of those made me believe even more that the reports in the foreign press concerning the murder and extermination of Jews was as wrong as that one report concerning Theresienstadt, which I was able to disprove personally. During the war when the British and Americans, through their representatives in neutral nations made the request to Germany to allow the immigration of thirty thousand, or even more, Jews to Palestine there was never any discussion between the foreign ministry and the Reich Main Security Office concerning this matter. There was never the question if these Jews had been destroyed in Auschwitz or some other camp and for that reason could not be allowed to emigrate and were not able to emigrate, but we were always attempting to fin a way to please or answer these wishes of the American or British. To aid or to fulfill the request of the Americans and British, they allowed these people to emigrate without making any hardship or bringing about any hardship for the Arab population of Palestine. The immigration of Jews to Palestine was considered politically impossible, or not to be in the interest of the foreign policy.

COLONEL BROOKHART: It seems to me that nothing the witness has said is relevant to the issue we are trying and now he is going into the question of Palestine, and that certainly does not interest us, and, furthermore, for the last thirty minutes he has done nothing but repeat things which he said earlier in the afternoon, and I think it should be stopped.

H0956-0050

DR. PELKMANN: This opinion is very superficial that it doesn't have anything to do with the actual matters. May I give you my opinion concerning this? The witness was to prove, as I stated in my written theme, he was supposed to prove that from the reports he had received from the Gruppenfuehrer Eichman there was no indication concerning the mass extermination of Jews. The witness just mentioned an example.

DR. PELCKMANN: He stated that during the discussion between the foreign minister and Eichmann considering the immigration of 30,000 Jews of Palestine, the following was discussed: That the only reason why this immigration was not possible was due to the fact that it would disturb the policies of the Germans towards the Arabs. Eichmann did not say that it was impossible to have these Jews immigrate since they had been exterminated, or gassed long ago. We did not even speak of the fact that there was no Jews available, or present, and for that reason their witness did not claim that there were any mass exterminations of Jews. That is one of the many facts which the witness has been expressing during this questioning, or during his interrogation this afternoon.

CAPTAIN TUBRIDY: Dr. Pelckmann, I think you are trying to prove that because Eichmann deceived this man, that a large number of SS men were deceived before that and you are trying to prove that this man was deceived; in doing so you are going into rather minor incidents on this question of mass extermination of the Jews. It might be pointed out there are some things which he has said that indicates what he states and what he was informed about are not completely consistent. He said he had information from foreign sources as to mass extermination of Jews, in other words, the outside world knew about it and he states he did not know about it when he had this information.

Suppose we take a recess for ten minutes now, and when we resume questioning of the witness, could we please have it directed along the lines of the order and also possibly the great part of the SS did not know what Eichmann was doing.

H0956-0051

DR. PELCKMANN: Now I would like to limit my questions to what was accepted as my proof of the evidence.

CAPTAIN TUBRIDY: Very well, let's take a recess.

(Recess)

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BY DR. PELKMANN:

Q As you have probably noticed from the conversation between myself and the Commission, it is considered very strange that you did not know, or did not have any knowledge of these mass murders and mass liquidations while, as the Commission said, the outside world knew about it. Witness, would you explain these facts, and would you also state whether you as a German civilian, as an SS Leader, and lastly, as a German civilian did not know about it, when the whole world not including you, but including the German Reich knew about this?

A I wish to apologize. The statement that the whole world knew it in my opinion was not correct. Within Germany the only people who could have known about it were those people connected with the circle of Eichmann and his co-workers, and those people that were able to read the foreign press, and listen to the foreign radio. Even within the foreign ministry only two or three employees that had to do with the Jewish question, were able to get whole of or read the foreign reaction in the foreign newspaper reports concerning the Jewish question. But in opposition to what I read in foreign newspapers, I, as one of the men who was able to get these foreign newspapers, will say there was a repudiation by the German offices, and that was in my opinion the important matter, and that was in my opinion the dependable point.

Q Now the other members of foreign offices of SS Leaders, did they obtain, or were they able to obtain this information, that is, from foreign newspapers and foreign radios?

A Listening to foreign radios was prohibited to all of those with the exception of those that had a special permit.

Q Did you know that at the beginning of the war that Hitler personally had to permit his own ministry to listen to the radio; that he had to give his own personal permission for his ministry to listen to the foreign radio?

A No, I did not know that, but I do know that we had a very long discussion and conversations with Dr. Goebbels in order to get permission for a few of our selected foreign department men to listen to the foreign radio, and it was extremely difficult to get that permission.

Q And how was it with the foreign newspapers?

A The foreign newspapers could only be bought in Germany in a limited

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amount, that is, so far as they were allowed by censorship. Otherwise, I am speaking for myself personally now, I want to state that the foreign department did not receive any other newspapers, but only received those sections that interested us concerning what were of interest to us when on our particular job. At the beginning of the war we received this information, that is, these newspaper parts, as well as the foreign radio communications, very frequently, and in a very large scale, but in 1941, when I do not know whether an order came from Hitler, or from whom, these reports were cut down a very large extent, and in 1943 they were such that I as the Jewish Commissioner, or Jewish official of the Foreign Department did not receive anything except those articles and foreign communications that the radio reports gave, and received only those that concerned the Jewish question directly, and nothing else. Since, as I stated, these matters or reports were sent to me under the secret classification, I could only talk concerning these matters with those people that were also supposed to receive it, that is, my co-workers, my chief, and other members of the Department, which had to do with Jewish matters. These reports were not secret, but what was called Secret State matters, or merely the classification would possibly be "top secret." This matter, or requirement of keeping these reports a secret was not the fact towards the foreign diplomats; therefore, whenever I had the possibility of a talk with a foreign diplomat concerning these newspaper reports, I could present them with the repudiation of the German office concerned with this matter.

Q How did you receive the reasons, o r give the cause for these repudiations?

A I told Himmler or Eichmann where men were responsible in this matter, and any of their statements that were official so far as I was concerned.

Q Did you believe these official statements by Himmler and Eichmann only becuase they were official statements, or since you checked upon these matters, so far as you could find out they were true.

A These official statements were connected with, or were concerned with the same matter that I had personally investigated, and, there-

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fore I did not see any reason why I should not believe them.

Q And didn't you previously give us a few examples, whichis why you considered this information as correct?

A Yes.

Q I do not want to ask you to repeat these incidents, but I do want a statement from you to find out whether or not you make these statements in order to prove that there was no reason for you to disbelieve these official statements by Himmler and Eichmann.

A Yes, that is correct, and whenever I continually talked with my co-workers, or persons connected with a similar line of work concerning these matters, and informed them of any such statements and new developments in order to give them material, whenever they were talking to foreign diplomats, I did so.

Q Coming back to the difficulties you had in receiving these newspaper reports and foreign radio reports, that you had difficulties as a high employer of the German Government, as an honorary SS Leader, would you say that these reports were known to the whole world, or at least to all the German people, to every SS man, and to every person living within Germany?

A I do not think that it was impossible that the larger number of the German people knew of these facts, and I have a special proof for that - that when I came to the internment camp at Recklinghaussen, and when the inmates found out I was taking care of the Jewish matters in the Foreign Department, they asked whether I thought it possible that such cases as the Hoess case and so on were possible.

COLONEL ORLOV: It seems to me that it is not so interesting to know what the witness thinsk about it. He must say about this what he knows exactly, and not what he thinks about it.

DR. PELCKMANN: I have no further questions on this phase, and I am finished with this witness. Should, however, this answer be stricken, then I will appeal to the Tribunal concerning it.

CAPTAIN TUBRIDY: That is the last answer of the witness to which you are referring.

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DR. PELCKMANN: Yes, concerning the last question and answer.

CAPTAIN TUBRIDY: It will be considered as displayed on the record and considering his position to know what he testified about.

DR. PELCKMANN: I have some other questions, not concerning this point, however.

BY DR. PELCKMANN:

Q I believe you heard in the Fall of 1944 the fact that Russians had occupied Camp Maidanek when they reported they had found evidence of mass extermination in the camp. What did you do after this?

A I immediately sent this report to Eichmann, and asked him to give us a view on the question, and, if material to disprove this statement or charge. Eichmann reported to me that the camp before it was left by the troops was completely destroyed, and, therefore, the Russian reports could not be correct, since the, could not make such statements just from seeing the ruins. To my question why this camp was destroyed was answered with the statement that the armament industry that was present there was not to be left to the Russians undestroyed, or to be left whole. As proof he showed me a series of pictures which he had sent to the Reichfuehrer SS, and which he claimed were pictures of the camp Maidanek before it was left, and which was sufficient proof that the camp was completely destroyed.

Q If the answers of Eichmann were not sufficient, or did not come fast enough, did the foreign office through you turn to the chiefs of Eichmann, or to whom?

A Yes, we repeatedly complained about Eichmann with Gruppenfuehrer Mueller and with Kaltenbrunner. Now, that is not against his person but in certain specific cases. However, we never received an answer from Kaltenbrunner or Mueller, and the questions were always answered by Eichmann. However, it was often thought of such small complaint that it was at that time not usual for the adviser which he as State Secretary wrote to an equal rank of the other office, and it would be answered by one of the advisors or secretaries. However, later on I always asked that these questions were not to be sent any more to them, but directly be sent to Himmler. Since Eichmann received all of his orders, as he proved to me and he showed me

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several times, directly from the Reichsfuehrer.

Q Was that due to the reason, as you were told, because Eichmann was not in the SS office, and was not part of the Reich Security Main Office, but at an independent office?

A Eichmann without a doubt was part of the Reich Security Main Office, that is Amt IV, but he received all of his orders directly from the Reichsfuehrer; that is, at least in these cases which I could check up, and, therefore, a complaint withKaltenbrunner or Mueller was of no use, since they usually were not informed either. If Eichmann was like in the case in 1944 was not in Berlin with his staff, it was impossible for me to receive any kind of information concerning the Jewish matters in Amt IV. So that it was the strange case that I

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either had to find out, or get an answer from Eichmann in Budapest, or we had to get an answer directly from the Reichsfuehrer. So far as I could judge Eichmann had a special position within the Reich Security Main Office. Whether or not he was an SS, or had an SS office, I do not know, because I could not judge. However, I know that he was in the Reich Security Main Office, but not all of his co-workers were members of the SS. For instance, Hundsche was a SA.

Q Was that a fact that Eichmann only had very few co-workers who knew of these matters. Was that the reason when during a meeting scheduled in Riesengebinge and when Eichmann could not be reached in Hungary for this meeting, that you had to jump in at the last minute?

A Eichmann or one of his co-workers was supposed to make a speech there, but it was impossible for him to come, and Eichmann, therefore, asked me to make a speech.

Q What was the reason for this meeting. Was it to discuss the question of propaganda, or what?

A This meeting of this group, Amt Rosenberg, was a purely propaganda meeting. That is the various groups were to discuss their knowledge and their experience in anti-Jewish propaganda. The principles by the Reich Security Main Office, the Group Rosenberg, the Amt Rosenberg, and the members of the various embassies and delegations and those of the foreign ministry were presented.

Q How long was your speech and what was its contents?

A I cannot give you the exact minutes, but I would say about twenty or twenty-five minutes. The speech was a short conversation of the material that had been given me concerning the number of Jewish people that had been deported to the Eastern areas from the various countries as well as the anti-Jewish laws and measures that were brought out in the various countries.

COLONEL GRIFFITH JONES: Could I say something, sir?

BY DR. PELCKMANN:

Q Was the topic of the speech a condensation of the stand of the anti-Jewish executive measures. What do you understand are exactly the measures of the anti-Jewish program?

COLONEL GRIFFITY JONES: It would be a very great help if the defense counsel will mention the number of the document to which he refers.

DR. PELCKMANN: It might be 3319-PS, but I am not sure.

COLONEL GRIFFITH JONES: Yes, it is, but could you tell me the court number also.

M. MONERRAY: USA 433 and GB 287.

dr. pelckmann; I don't know that the last question was answered, sir.

BY DR. PELCKMANN:

Q What do you understand by anti-Jewish executive measures?

A Spreading the anti-Jewish measures and laws in the foreign countries, and the deportation or sending of Jews to camps for the duration of the war.

Q Do you know that it says in the transcript of this meeting, dur to the fact that the measures and discussions by the speaker are supposed to have been kept secret from the individual country or individual countries, and no transcript was kept of this discussion?

A Yes, at that time Eichmann asked me to do it this way because he did not want to be known the number of Jews which would be evacuated by the various measures in the foreign country, or the number of Jews that were still in the various countries, and the number of Jews which were living in camps; that these numbers were not to be made public, or be made available for the general public.

Q The reason to keep these things secret may be was for another reason. For instance, in connection with the military situation at one time, or do you want to give us some other information concerning this?

A I was especially glad to carry out this order of

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Eichmann because since I made some statements concerning their connections with the military situation I did not want to see this report made public generally, because in this short speech I mentioned that since the military catastrophe at Stalingrad no foreign nation did bring in any new anti-Jewish measures or laws, and that in some countries these orders, which were made out before Stalingrad were only carried out to a minor extent after the catastrophe at Stalingrad. I did have a discussion concerning some cases in Rumania, for instance, in the case of Oschnitt, but I do not want to bring any specific single case up.

Q Therefore, you would consider correct the short statement made, which was made concerning this meeting, where mentioned why a " Zionist to Palestine" with a final solution of the way the "Zionist to Palestine" , or some other similar solution, would be impossible, and that the Jews would have to be settled in the East?

A Yes, I probably did combine all the statements and remarks under this one statement.

Q In other words, you did not make any statement concerning the so-called Engloesung zone, the final solution in regard to the bodily destruction of the Jewish people.

A I never would have thought of it.

Q And why would you never have thought of it? What caused you yourself that you did not have any ideas concerning these matters?

A I did not only not believe that such a thing did happen, but I also believed that a thing like that should not happen, or would not be allowed to happen.

Q Would you say that due to the fact that you were able to receive foreign newspaper clippings, and foreign radio information, that you had a limited chance to check on these reports concerning the truth of these foreign prints of mass murder and extermination. Would you say that the immediate previous statement was correct when I say that the German people

as a whole, the SS as a whole, as well as your colleagues within the Foreign offices, and outside of the Foreign offices did not have any information, or did not know of these mass murders?

A So far as I would say, they could not have known.

DR. PELCKMANN: No further questions.

CAPTAIN TUBRIDY: Shall we adjourn now.

(The Commission adjourned until 12 June 1946 at 1000 hours.)

The foregoing is a true and correct transcript of the testimony of WALTER ALBATH, taken on 11 June 1946.

Rose W. Cook
Reporter

Charles J. Gallagher
Reporter

CERTIFIED TO:

Joseph F. Tubridy
Commissioner